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July 28, 2016

Honorable Freda L. Wolfson, U.S.D.J.
United States District Court
Clarkson S. Fisher Federal Bldg. and
U.S. Courthouse, Room 5050
402 E. State Street
Trenton, NJ 08608

Re: Yeshiva Gedola Na'os Yaakov, Inc. v. Township of Ocean, NJ, et al.
Case No.: 3:16-cv-00096-FLW-DEA

Dear Judge Wolfson:

I am writing to respond to Mr. Mankoff's misleading letter of yesterday wherein he advised Your Honor that the "parties have agreed to a resolution of the critical issue." Quite frankly that was news to me and my co-counsel as we have not heard a single word from them about agreement as to any of the terms of a settlement until we received that letter. Please note that after the parties left Your Honor's chambers last Thursday the parties briefly convened to discuss possible settlement terms. I immediately followed up with defense counsel later that afternoon with an email outlining my clients' proposed terms of settlement. However, since last Thursday there has been little to no communication from defense counsel other than an email from Mr. Arbus advising me that the Township would not be able to respond to my clients' settlement terms until Wednesday (yesterday). When I did not hear from Mr. Mankoff by mid-morning I emailed him as well as Mr. Arbus and Mr. Steinberg to find out where their clients stood with respect to my clients' proposed settlement terms. There was no response from any of them.

Instead, yesterday, I received two notices of electronic filing from the Court. As Your Honor is aware, both filings contained letters written by Mr. Mankoff. The first letter provided the Court with an unsworn (and irrelevant) submission regarding an amendment to the Township's zoning ordinance, provided not only after briefing but after argument on the Plaintiffs' motion. If Your Honor is inclined to consider that supplemental filing, we would like an opportunity to respond to same at a later date.

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Attorneys at LawHonorable Freda L. Wolfson, U.S.D.J.
July 28, 2016

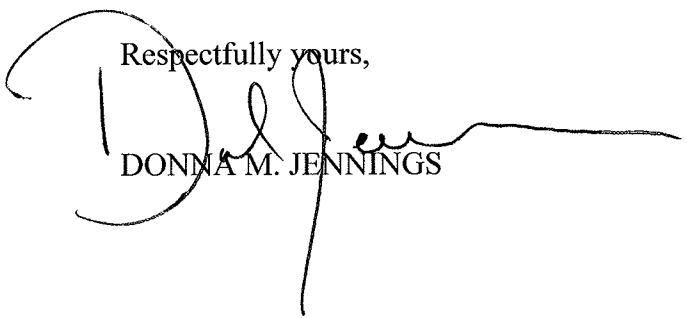
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The second letter is the one I am addressing now. Please note that my clients do not view the resolution of the number of students as the critical issue. My clients merely conceded to reduce the number of students to 80 on the condition that their demands were met, including processing of necessary applications and subsequent occupancy. The Township defendants, to date, have not advised that they are willing to meet even one of my clients' demands. There can be no resolution of a matter if the parties do not communicate. My clients agreed to attempt to work things out but all that has occurred is that another week has passed and we are no closer to a resolution than we were when the Complaint was filed seven months ago. This is, unfortunately, part of the pattern and practice of the Township's treatment of the Yeshiva from day one.

It is my clients' position that the Township defendants are simply dragging their feet and that they have no real intent on resolving this matter. Importantly, the only parties that are adversely affected by further delays are my clients. I am therefore respectfully requesting that Your Honor rule on our pending motion for preliminary injunctive relief. If the Township defendants truly want to settle, they have been free to respond to our offer at any time and continue to be able to do so. The simple fact is that they have not.

Thank you for your continued assistance with this matter.

Respectfully yours,


DONNA M. JENNINGS

Cc: Roman Storzer, Esq.
Howard B. Mankoff, Esq.